

**DISTILLED
SPIRITS
COUNCIL
OF THE
UNITED
STATES**

Testimony submitted by

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VP Government Relations

Distilled Spirits Council of the United States

Before the General Law Committee

Regarding S.B. No. 893

*An Act Allowing Package Store
Permittees To Hold Gift Basket
Retailer Permits*

February 26, 2013



Senator Doyle, Representative Baram, Members of the Committee:

This testimony is offered on behalf of the Distilled Spirits Council of the United States (DISCUS), a national trade association representing the world's leading makers and marketers of distilled spirits. The DISCUS member companies are:

- Bacardi U.S.A., Inc. (Miami, FL)
- Beam Global Spirits & Wine, Inc. (Deerfield, IL)
- Brown-Forman Corporation (Louisville, KY)
- Campari America (San Francisco, CA)
- Constellation Brands, Inc. (Victor, NY)
- Diageo (Norwalk, CT)
- Florida Caribbean Distillers (Lake Alfred, FL)
- Luxco, Inc. (St. Louis, MO)
- Moet Hennessy USA (New York, NY)
- Patrón Spirits Company (Las Vegas, NV)
- Pernod Ricard USA (New York, NY)
- Remy Cointreau USA (New York, NY)
- Sidney Frank Importing Co., Inc. (New Rochelle, NY)
- Suntory International (New York, NY)

I am offering these comments regarding S.B. 893 – An Act Allowing Package Store Permittees To Hold Gift Basket Retailer Permits.

As currently presented, SB893 would not allow for the inclusion of distilled spirits in a gift basket. On behalf of our member companies, we would respectfully request that the bill be amended to allow for the inclusion of distilled spirits in addition to wine. Of the 5,500 brands of distilled spirits currently available in the marketplace, there are many that would be considered appropriate and welcome in a gift basket presentation. Furthermore, a prohibition on distilled spirits continues does not recognize the facts and the science that “alcohol is alcohol is alcohol” regardless of the form in which it is

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consumed. As you may be aware, this is also confirmed in the USDA Dietary Guidelines (<http://www.cnpp.usda.gov/Publications/DietaryGuidelines/2010/PolicyDoc/PolicyDoc.pdf>) that defines one standard serving of alcohol – 12 fluid ounces of regular beer, 5 fluid ounces of wine, or 1.5 fluid ounces of spirits – as all containing 0.6 fluid ounces of alcohol. Understanding that standard servings of distilled spirits, beer, and wine contain the same amount of alcohol is a critical aspect of responsible consumption. There is no alcoholic beverage of moderation, only the practice of moderation. Differentiating between spirits wine and beer for non-scientific reasons does not make good public policy.

Amending S.B. 893 to allow for the inclusion of spirits would make for good public policy and provide gift basket retailers with a significantly broader range of products with which to satisfy their customer's tastes.

Thank you for the opportunity to present comments and suggestions regarding S.B. 893. We look forward to supporting an amended version of this legislation.

Sincerely,



Jay M. Hibbard
Vice President – Government Relations
Distilled Spirits Council

